

Board of Governors Meeting

July 2022



Pennsylvania's
STATE SYSTEM
of Higher Education



Pennsylvania's
STATE SYSTEM
of Higher Education



Board of Governors Meeting

July 21, 2022

9:00 a.m.

Board of Governors Meeting

1. Roll call
2. Pledge of allegiance
3. Chairwoman's remarks
4. Public comment
5. Remarks by union leaders
6. Remarks by PACT president
7. Consent agenda
These items will be considered in one motion unless a member wishes to have an item removed for individual discussion
 - a. Meeting minutes (page 5)
 - b. Technical revisions to Board of Governors' policies 1994-01-A and 2000-02-A (page 15)
 - c. Reappointment of student trustees at the integrated universities (page 21)
 - d. Standing Committee Assignments (page 22)
8. Chancellor's remarks
9. Board consideration
 - a. Fiscal Year 2022-23 Educational & General Appropriation Allocation (page 24)
 - b. Allocation of Coronavirus State Fiscal Recovery Funds (INFORMATION ONLY) (page 28)
 - c. Ratification of various side letters (page 29)
 - d. Election of officers (page 55)
 - e. Resolution(s) honoring service to the State System
10. Other business
11. Adjournment

**Executive Session may be called as needed;
sequence of agenda items may change as needed**

CONSENT AGENDA



Pennsylvania's
STATE SYSTEM
of Higher Education

Board of Governors Pennsylvania's State System of Higher Education

Meeting Minutes

Draft for Approval

290th Meeting
Thursday, April 14, 2022

9:00 a.m.
PHEAA 1200 N. 7th Street, Harrisburg, PA 17102

ATTENDING

Board of Governors:

Robert W. Bogle	Alexander C. Roberts
Representative Tim Briggs	Zakariya Scott
William A. Gindlesperger	Senator Judith L. Schwank
Secretary Allison Jones	Cynthia D. Shapira (Chair)
Senator Scott Martin	Larry C. Skinner (Vice Chair)
David M. Maser (Vice Chair)	Samuel H. Smith (Vice Chair)
Marian Moskowitz	Skylar Walder
Deputy Secretary Tanya I Garcia (Designee)	Neil R. Weaver
Representative Brad Roae	Janet L. Yeomans

In attendance was (non-voting) Board Faculty Liaison, Jamie L. Phillips

Chair Cindy Shapira called the meeting to order at 9:00 a.m.

Attendance taken at the direction of Chair Shapira established that a quorum of the Board was present.

CHAIR'S REMARKS (Full Remarks in video archive)

Chair Shapira welcomed everyone and remarked that this is the first meeting in person after the sale of the Dixon University Center. Extended thanks to the PHEAA leadership, for extending the use of their meeting space, and reviewed the agenda items that will be considered today.

PUBLIC COMMENT (Full remarks in video archive)

- Mr. Nick Marcil, current graduate student, West Chester University.
- Mr. Michael Balog Jr. 2018 Edinboro University graduate.

REMARKS BY UNION LEADERS (Full remarks in video archive)

- APSCUF President – Dr. Jamie Martin

REMARKS BY PACT (Full remarks in video archive)

- PACT 1st Vice President Milissa Bauer provided remarks on behalf of the PACT and overview of the recent PACT's Spring Conference.

CONSENT AGENDA

Chair Shapira moved that the Consent Agenda be approved as presented:

- Meeting Minutes February 3, 2022
- Meeting Minutes March 2, 2022
- Ministerial Changes in Board Documents

Voice Vote. No opposition. The motion passed unanimously.

STUDENT SUCCESS COMMITTEE

(Full remarks in video archive)

Committee Chair David Maser reviewed the history and background of the Syed R. Ali-Zaidi Award for Academic Excellence, which is conferred annually upon a graduating senior from one of the State System universities. Candidates for the 2022 award were recommended by their university president at the conclusion of a campus application and selection process that was open to all graduating seniors.

This year, a review panel appointed by the chancellor considered 14 nominees in accordance with the criteria outlined above, and Ms. Elizabeth Bennett, a student at Edinboro University of Pennsylvania was selected as the recipient of this year's award of \$1,000. The remaining 13 finalists will each receive a certificate signed by the chancellor and chair of the Student Success Committee of the Board, and a check for \$50.00.

Dr. Dale Elizabeth Pehrsson, President, Clarion University and Interim President, Edinboro and California University, spoke of Elizabeth's academic accomplishments, and presented the award.

CHANCELLOR'S REMARKS

(Full remarks in video archive)

Chancellor Greenstein offered remarks on the recent campus visits he conducted this spring, many of which were face-to-face, and seeing first-hand the activity resuming on the campuses as the university communities return to some sense of normalcy.

Chancellor Greenstein also remarked on the hard work and significant amount of detail that went into the integration planning as they near the implementation phase. Middle States Commission of Higher Education has responded favorably approving the accreditation plans for the integrating universities, which has led the path for the newly embodied corporate structures to begin July 1, and to plan for the first cohort of students this fall.

The Chancellor remarked on the allocation of funds and the opportunities they provided for the investment in our students, universities and system overall.

GOVERNANCE AND LEADERSHIP COMMITTEE (Full remarks in video archive)

Committee Chair Samuel Smith reviewed Committee items as presented in the meeting materials to consider the appointment of student trustees. Roll call was conducted, and the following committee members were present: Maser, Martin, Roberts, Schwank, and Shapira (ex-officio).

Based on input from the University Presidents of Mansfield, Shippensburg, Slippery Rock, West Chester University, and the Office of the Chancellor, the Committee recommends the appointment of the following students to their respective University Council of Trustees:

- Jenna Nila, Mansfield University of Pennsylvania
- Rangeline DeJesus, Shippensburg University of Pennsylvania
- Brooklyn Graham, Slippery Rock University of Pennsylvania
- Julie Ward, West Chester University.

Presidents Hanna, Patterson, Behre and Fiorentino each offered remarks in support of their student appointments to their respective University Councils of Trustees.

COMMITTEE CHAIR SMITH MOVED THAT THE BOARD OF GOVERNORS HEREBY APPOINTS JENNA NILA TO THE MANSFIELD UNIVERSITY COUNCIL OF TRUSTEES, RANGELINE DEJESUS TO THE SHIPPENSBURG UNIVERSITY COUNCIL OF TRUSTEES, BROOKLYN GRAHAM TO THE SLIPPERY ROCK UNIVERSITY COUNCIL OF TRUSTEES, AND JULIE WARD TO THE WEST CHESTER UNIVERSITY COUNCIL OF TRUSTEES.

Voice Vote of Committee members. No opposition. The motion passed.

UNIVERSITY SUCCESS COMMITTEE (Full remarks in video archive)

Committee Chair Larry Skinner conducted roll call and the following committee members were present: Weaver, Gindlesperger, Jones, Roae, Scott, Yeomans, and Chair Shapira (ex-officio).

Chairman Skinner reviewed the Committee items as presented in the meeting materials as follows:

1. Financial Sustainability – Mansfield University of Pennsylvania for FY 2021/2022 Loan and Transfer of Loan Obligation.
2. Property Disposal, Edinboro University Highlands 7 and 8.
3. 2022-2023 and Tentative 2023-2024 Basic Tuition and Technology Tuition Fee Rates.

Molly Mercer, Chief Financial Officer, provided a review of the Mansfield University Loan and Transfer of Loan Obligation. President Hanna, Chancellor Greenstein and Chair Shapira addressed a few questions raised by several Board members.

COMMITTEE CHAIR SKINNER MOVED:

- **THAT THE BOARD OF GOVERNORS APPROVES A LOAN FOR MANSFIELD UNIVERSITY OF PENNSYLVANIA OF UP TO \$7.0 MILLION.**
- **THAT THE BOARD OF GOVERNORS APPROVE THE FY 2021/22 TRANSFER OF MANSFIELD UNIVERSITY'S TOTAL LOAN OBLIGATIONS ESTIMATED TO BE \$20 MILLION TO THE STATE SYSTEM FOR REPAYMENT WITH FUNDS FROM THE SERS PREFUNDING PROGRAM THROUGH FY 2030/31,**
- **THAT THE BOARD OF GOVERNORS DEEMS SATISFIED THE MANSFIELD UNIVERSITY'S FY 2019/20 AND FY 2020/21 PROMISSORY NOTES AND ASSOCIATED LOAN COVENANTS,**
- **THAT THE BOARD OF GOVERNORS APPROVE, AS OF JULY 1, 2022, MONITORING OF COMMONWEALTH UNIVERSITY OF PENNSYLVANIA AS FOLLOWS:**
 - **AS PART OF THE UPDATED SUSTAINABILITY PLAN, PROVIDE A HOUSING PLAN TO ADDRESS OCCUPANCY AND DEBT; REPORT EACH SEMESTER ON REVENUE, OCCUPANCY AND CAPACITY BY RESIDENCE HALL.**
 - **PROVIDE ACTUAL HEADCOUNT AND FULL-TIME EQUIVALENT ENROLLMENT EACH SEMESTER, AND UPDATED ENROLLMENT PROJECTIONS FOR EACH UPCOMING TERM.**
 - **PROVIDE BIENNIAL PROGRESS AGAINST THE SUSTAINABILITY PLAN, WHICH MUST INCLUDE AT A MINIMUM ATTAINMENT OF WORKFORCE AND OPERATING GOALS AS DESCRIBED IN THE APPROVED SUSTAINABILITY PLAN.**
 - **COMPLY WITH OTHER SUCH ACTIONS AS THE BOARD OF GOVERNORS DIRECTS TO ACHIEVE FINANCIAL SUSTAINABILITY.**

Voice Vote of Committee members. No opposition. The motion passed.

Chairman Skinner reviewed the Committee's second action item, Property Disposal, Edinboro University Highlands 7 and 8. Molly Mercer provided a brief overview of the proposed request and addressed a few questions raised by Board members.

COMMITTEE CHAIR SKINNER MOVED THAT THE BOARD OF GOVERNORS APPROVES EDINBORO UNIVERSITY'S REQUEST TO PROCEED WITH DISPOSAL OF PROPERTY AND IMPROVEMENTS KNOWN AS HIGHLANDS 7 AND 8.

Voice Vote of Committee members. No opposition. The motion passed.

Chairman Skinner reviewed the Committee's third action item, 2022-23 and Tentative 2023-24 Basic Tuition and Technology Tuition Fee Rates. Molly Mercer provided a brief overview of the proposed request. Chancellor Greenstein offered a few additional remarks and addressed a few questions and comments raised by Board members. Additional comments were made by several University Presidents.

COMMITTEE CHAIR SKINNER MOVES THAT THE BOARD OF GOVERNORS APPROVES THE 2022-23 AND TENTATIVE 2023-24 TUITION SCHEDULE (ATTACHMENT 1), AND THE 2022-23 AND TENTATIVE 2023-24 TECHNOLOGY TUITION FEE SCHEDULE (ATTACHMENT 2). THE INCREASE WOULD BE ZERO PERCENT FOR 2022-23, AND IN TURN A ZERO PERCENT TENTATIVE INCREASE FOR 2023-24 AS CALCULATED OF THE AVERAGE OF THE LAST THREE YEARS.

Voice Vote of Committee members. No opposition. The motion passed.

BOARD CONSIDERATION
(Full remarks in video archive)

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD OF GOVERNORS APPROVE ITEMS 10a., 11a., 11b., 11c., AS RECOMMENDED BY THE RESPECTIVE COMMITTEES, GOVERNANCE AND LEADERSHIP AND UNIVERSITY SUCCESS COMMITTEE:

1. Item 10a. - Student trustee appointments at Mansfield, Shippensburg, Slippery Rock and West Chester University.
2. Item 11a. – Loan and Loan Transfer - Mansfield University
3. Item 11b. - Property Sale – Edinboro University
4. Item 11c. – Base tuition and technology tuition fee

Voice Vote. No opposition. The motion passed.

For the record, Chair Shapira noted that the Board met in executive session on April 13, 2022, from 12:00 p.m. until 1:00 p.m. to discuss legal and personnel matters.

ADJOURNMENT

The meeting adjourned at 11:30 a.m.

ATTEST:

Randy A. Goin Jr., Ph.D.
Deputy Chancellor

Meeting webcast is available here: [BOG Meeting 4-14-22 - YouTube](#)

**Board of Governors
Pennsylvania's State System of Higher Education**

Meeting Minutes

Draft for Approval

291st Meeting
Friday, May 6, 2022

Via Zoom

ATTENDING

Board of Governors:

Robert W. Bogle
Representative Tim Briggs
William A. Gindlesperger
Designee Tara Williams for Secretary Jones
David M. Maser (Vice Chair)
Marian Moskowitz
Representative Brad Roae
Alexander C. Roberts

Senator Judith L. Schwank
Cynthia D. Shapira (Chair)
Larry C. Skinner (Vice Chair)
Samuel H. Smith (Vice Chair)
Skylar Walder
Neil R. Weaver
Janet L. Yeomans

In attendance was (non-voting) Board Faculty Liaison, Amanda Morris.

Chair Cindy Shapira called the meeting to order at 9:00 a.m.

Attendance taken at the direction of Chair Shapira established that a quorum of the Board was present.

CHAIR'S REMARKS (Full Remarks in video archive)

Chair Shapira extended a special welcome to newly appointed Board Faculty Liaison, Dr. Amanda Morris.

PUBLIC COMMENT

None

REMARKS BY UNION LEADERS (Full remarks in video archive)

APSCUF President – Dr. Jamie Martin

BOARD CONSIDERATION
(Full remarks in video archive)

Chair Shapira reviewed the one action item for Board consideration today, the selection of a president at Shippensburg University. Chair Shapira provided a brief summary of the search process and policy criteria that the search committee followed to ensure the integrity of the

search was maintained and inclusive of a diverse range of students, faculty, staff, alumni, and other individuals.

President of RPA, Inc., Dana Cohick, was also present for the meeting, and recognized by the Chair for their support and guidance in the search process.

Shippensburg Council of Trustee and Search Committee Chair, Doug Harbach, offered comments and reviewed the committee's structure and process undertaken to ensure the composition of the committee was diverse and adhered to the search criteria.

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD OF GOVERNORS APPROVE THE SELECTION OF DR. CHARLES PATTERSON, AS PRESIDENT OF SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA, EFFECTIVE IMMEDIATELY, AND AUTHORIZES THE CHANCELLOR AND CHAIRWOMAN TO EXECUTE THE NECESSARY DOCUMENTS.

Voice Vote. No opposition. The motion passed.

Dr. Patterson offered brief comments to the Board and thanked everyone for their vote of confidence.

For the record, Chair Shapira noted that the Board met in executive session on May 4, 2022, from 8:30 a.m. – 10:30 a.m. to discuss legal and personnel matters.

ADJOURNMENT

The meeting adjourned at 9:30 a.m.

ATTEST:

Randy A. Goin Jr., Ph.D.
Deputy Chancellor

Meeting webcast is available here: [BOG Meeting - YouTube](#)

**Board of Governors
Pennsylvania's State System of Higher Education**

Meeting Minutes

Draft for Approval

292nd Meeting
Wednesday, June 15, 2022

Via Zoom

ATTENDING

Board of Governors:

Robert W. Bogle	Senator Judith L. Schwank
Representative Tim Briggs	Cynthia D. Shapira (Chair)
William A. Gindlesperger	Larry C. Skinner (Vice Chair)
Alternate Designee Tara Williams for Secretary Jones	Samuel H. Smith (Vice Chair)
Senator Scott Martin	Skylar Walder
David M. Maser (Vice Chair)	Neil R. Weaver
Deputy Secretary Tanya I. Garcia, Designee for Secretary Eric Hagarty	Janet L. Yeomans
Representative Brad Roae	

In attendance was (non-voting) Board Faculty Liaison, Amanda Morris.

Chair Cindy Shapira called the meeting to order at 9:00 a.m.

Attendance taken at the direction of Chair Shapira established that a quorum of the Board was present.

CHAIR'S REMARKS (Full Remarks in video archive)

Chair Shapira welcomed everyone and reviewed the agenda items the Board will consider today.

PUBLIC COMMENT

None

REMARKS BY UNION LEADERS (Full remarks in video archive)

APSCUF President – Dr. Kenneth Mash

BOARD CONSIDERATION
(Full remarks in video archive)

Chair Shapira reviewed the action items for Board consideration today:

- Item 4a. - Revisions to Policy 2002-04-A: *Academic Calendar*
- Item 4b. - Revisions to Policy 1984-06-A: *Allocation Formula*
- Item 4c. - Appointment of Student Board Member

Deputy Chancellor Randy Goin provided a review of Item 4a., proposed revisions to the academic calendar, which will provide for the flexibility to adjust the academic schedule over time to meet the evolving needs of the System and the universities without requiring the core policy to change at the Board level.

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD OF GOVERNORS' APPROVES REVISIONS TO POLICY 2002-04-A: *ACADEMIC CALENDAR*, AS ATTACHED.

Voice Vote. No opposition. The motion passed.

Chancellor Greenstein and Indiana University President Mike Driscoll, provided an overview of the proposed Revisions to Policy 1984-06-A: *Allocation Formula*, and the new formula elements as outlined in the agenda materials. These formula changes reflect the culmination of work by the Allocation Formula Team led by President Driscoll, and the strategic priorities of the System.

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD OF GOVERNORS' APPROVE THE PROPOSED REVISIONS TO BOARD OF GOVERNORS' POLICY 1984-06-A: *ALLOCATION FORMULA*, AS ATTACHED.

Voice Vote. No opposition. The motion passed.

Chair Shapira reviewed the third item for Board consideration, the appointment of a student board member, which is necessitated by the graduation of former student board member, Alexander Roberts.

Governance and Leadership Committee Chair, Sam Smith, provided a review of the selection procedures and process as outlined in Board Policy, 1983-25A: *Student Governor Selection*. The Committee did conduct an interview of the candidate, and therefore recommends that the Board consider the appointment of Abigail Hancox from Indiana University of Pennsylvania.

MOTION: CHAIR SHAPIRA MOVED THAT THE BOARD OF GOVERNORS APPOINT ABIGAIL HANCOX OF INDIANA UNIVERSITY AS A MEMBER OF THE BOARD OF GOVERNORS IN ACCORDANCE WITH THE STATE SYSTEM'S ENABLING LEGISLATION, AS AMENDED

Abigail Hancox was present for the meeting and thanked the Board for the opportunity to serve and represent the voices of all students of PASSHE.

ADJOURNMENT

The meeting adjourned at 9:58 a.m.

ATTEST:

Randy A. Goin Jr., Ph.D.
Deputy Chancellor

Meeting webcast is available here: [BOG Meeting 6-15-22 - YouTube](#)

Board of Governors Meeting

July 21, 2022

SUBJECT: Technical revisions to Board of Governors' policies 1994-01-A and 2000-02-A

UNIVERSITIES AFFECTED: All

BACKGROUND: At its meeting on June 15, 2022, the Board of Governors approved revisions to Policy 1984-06-A: *Allocation Formula*, accepting the amendments recommended by the Allocation Formula Team. The revised, approved appropriation formula distributes PASSHE's state appropriations to the universities based on two components: core operations and enrollment. As the revised policy no longer contains a Plant Allocation element, Board policies that reference the plant allocation must be updated to reflect the calculations that are now incorporated in the State System Facilities Manual.

MOTION: That the Board of Governors approve amendments to the following policies, as attached, to replace references to the Allocation Formula policy and to reference the Facilities Manual:

- Policy 1994-01-A: *Administration of the Keystone Recreation, Park, and Conservation Fund (Act 50 of 1993)*
- Policy 2000-02-A: *Capital Facilities Planning, Programming, and Funding*

Supporting Documents Included: Policy 1994-01-A: *Administration of the Keystone Recreation, Park, and Conservation Fund (Act 50 of 1993)*; Policy 2000-02-A: *Capital Facilities Planning, Programming, and Funding*

Other Supporting Documents Available: Board of Governors' Policy 1984-06-A: *Allocation Formula*

Reviewed by: University Vice Presidents for Finance & Administration

Prepared by: Molly M. Mercer

Contact: mmercerc@passhe.edu



PA State System of Higher Education Board of Governors

Effective: October 20, 1994

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Policy 1994-01-A: Administration of the Keystone Recreation, Park, and Conservation Fund (Act 50 of 1993)

See Also:

Adopted: October 20, 1994

Amended: July 12, 2018, July 21, 2022

A. Policy

On behalf of the Board of Governors, the chancellor shall administer the funds provided by Act 50 of 1993 for deferred maintenance, allocating the funds received proportionately according to the plant ~~operations and maintenance component of the System's~~ allocation formula calculated per Procedure Standard 2011-01-A Capital Planning and Programming and Volume III of the State System Facilities Manual. State System universities shall report monies expended and encumbered from the allocated funds for deferred maintenance projects from the previous fiscal year to the Office of the Chancellor, who will prepare and post the annual report per Act 50 of 1993 as amended. Maintenance projects undertaken with funding provided from Act 50 of 1993 shall be administered in accordance with provisions of the Act, implementing rules and regulations, and applicable State System policies and procedures.

B. Background

Act 50 of 1993, known as the Keystone Recreation, Park, and Conservation Fund Act (hereinafter called the Fund), allocates 18 percent of the realty transfer tax revenues allotted to the Fund to the State System for use for deferred maintenance projects. This funding is provided to supplement the monies allocated by the State System institutions from their annual education and general appropriations and tuition revenues.

C. Purpose

This policy assigns authority and responsibilities for administering the applicable provisions of Act 50 of 1993 within the State System.

D. Definitions

The definitions applicable to this policy are as contained in Act 50 of 1993 and the implementing rules and regulations.



PA State System of Higher Education Board of Governors

Effective: July 13, 2000

Page 1 of 4

POLICY 2000-02-A: CAPITAL FACILITIES PLANNING, PROGRAMMING, AND FUNDING

See Also:

Adopted: July 13, 2000
Amended: January 14, 2010,
April 05, 2018, July 21, 2022

A. Purpose

This policy establishes requirements for developing and maintaining a capital facility planning and programming process, identifies approval levels, and provides guidance for allocating Commonwealth capital funding.

Act 188 requires Board of Governors' approval of System building projects submitted to the Office of the Budget Secretary. To support the State System's mission of providing a quality education for its students, quality facilities must be built and well maintained. The State System uses an established capital facilities planning and programming process for determining capital facilities requirements, submitting detailed planning documents, and allocating available funding for projects authorized by the Legislature.

B. Definitions

- **Auxiliary Facilities**—Those facilities that house and are funded as entities that furnish goods and services to students, faculty, or staff and charge a fee directly related to, although not necessarily equal to, the cost of the service. Examples of auxiliary facilities are parking lots and structures, residence halls, dining halls, student unions, and recreation centers constructed through student fees.
- **Capital Funding**—State funding typically provided from state bond proceeds. Projects must be authorized by the Legislature in a capital budget and be valued for at least \$100,000 for bond-funded projects.
- **Facilities Inventory**—A listing of the facilities on each university campus, branch campus, educational center, or other State System entity, including leased space, by building and room category, according to a standard classification and measurement system.
- **Facilities Master Plan**—A planning document that specifies the facilities and their existing or planned locations required to conduct the mission of each State

System university based upon the academic, financial, and strategic priorities of the university, as endorsed by the State System.

- **Facilities Project**—A project funded by specific Commonwealth funds or financed by the State System for maintenance, repair, or renovation of existing buildings, structures, or infrastructure; or for construction of new buildings, structures, or infrastructure at State System institutions.
- **Facility Replacement**—Replacement of an existing facility for continued performance of the function conducted in the facility, at the same square footage or within approved space guidelines because renewal/renovation of the facility is not feasible, practical to accommodate modern instruction or construction methods, or economically viable.
- **Feasibility Study**—A thorough study of a proposed facilities project to evaluate its economic, financial, technical, functional, environmental, and cultural advisability, resulting in a programmatic diagram of the project showing a possible floor plan and architectural design that satisfy the desired facility requirements.
- **General Educational Facilities**—All facilities, including leased space, other than auxiliary that directly or indirectly support the mission of the State System. The facilities are classified as classroom; laboratory; office; study; special use, such as athletic; general use; support; and healthcare facilities.
- **Public/Private Alliances**—Agreements between or among an entity or entities of the State System and individuals, businesses, corporations, or other organizations that join the parties to share arrangements and responsibilities for financing, operation, and use of public facilities.
- **System Capital Authorization Request**—The annual facilities projects request submitted by the Board to the General Assembly and the Governor’s Office for inclusion in a capital budget project itemization act.

C. Policy

1. **General**—All facilities projects submitted for inclusion in an annual capital funding request or submitted for financing through a State System of Higher Education bond issue must be approved by the Board of Governors according to the capital facilities planning, programming, and funding policies established herein.
2. **Capital Facilities Planning**—The State System will use a capital facility planning process to address capital facilities requirements. The process will include, at a minimum, a universally accepted facilities inventory database, a standardized method of auditing and assessing the condition of each facility, a facilities master plan for each university prepared according to published guidelines, and criteria or guidelines for determining space requirements to meet the educational and quality of life standards desired for each university. Only those projects that satisfy a valid space deficiency, a System or Commonwealth

educational requirement or renew an existing facility for a valid mission requirement will be submitted for Board approval.

3. **Capital Facilities Programming**—All facilities projects submitted for inclusion in a State System capital appropriation request or System-financed capital project will be based on detailed project justifications and planning documents. The prepared justifications and planning documents will be in response to the published budget guidance, university mission requirements, and/or workforce development requirements.
4. **Capital Facilities Funding**
 - a. **Capital Funding for General Educational Facilities**—Annually, the Commonwealth provides an allocation of capital funding for some System general educational facilities projects. Capital funds are allocated by the Board for authorized capital projects in a capital spending plan. The chancellor or designee may make adjustments to the plan as necessary for its implementation. The Board will consider requests for Commonwealth capital funding according to the following criteria:
 - (1) The Board may require universities to contribute funding from alternate sources for some projects to help leverage Commonwealth capital funding, depending on project circumstances. Projects receiving significant private support will receive a higher priority recommendation for public funding. Public/private alliances or private sector support for academic facilities that satisfy System educational requirements and/or contribute to global competitiveness and workforce needs are strongly encouraged.
 - (2) Full Commonwealth funding may be requested for projects when alternative funding sources cannot meet the life cycle renewal, renovation, or replacement requirements of facilities or supporting infrastructure systems.
 - (3) System bond financing may be used for general educational facilities when approved by the Board. University financial resources and expected benefits from each project in cost savings/avoidance and improved efficiencies will be taken into consideration.
 - b. **Funding for Auxiliary Projects**—Bond financing may be used for System auxiliary projects funded by student fees or other revenue. The Board will approve projects submitted for funding through a System bond issue before bond proceeds are released for the project. The Board will approve financing of auxiliary facilities projects according to the following criteria:
 - (1) New facilities satisfying a valid requirement to improve the quality of student living or university parking structures first must be

pursued through public/private alliances and financed on a user fee self-liquidated basis through appropriate not-for-profit entities.

- (2) The Board may approve System bond financing of projects to renew, renovate, or reconfigure auxiliary facilities when it deems that public/private alliances are not practical or feasible.
 - (3) Students may elect, through a student referendum, to raise student fees sufficiently to finance construction of new or renovation of existing recreational and student activity facilities on university property through System bond financing or other appropriate not-for-profit entities.
 - (4) The Board may elect to use Commonwealth capital funds for an auxiliary project as a last resort when all other funding options are exhausted.
5. **Space Management**—The chancellor or designee must approve increases to space inventory categorized as general educational for which universities will seek funding through the plant allocation formula as outlined in the State System's Facilities Manual. This includes, but is not limited to, increases made through lease, new construction, building additions, or conversion of space categorized as auxiliary.

Board of Governors Meeting
July 21, 2022

SUBJECT: Reappointment of student trustees at the integrated universities

UNIVERSITIES AFFECTED: Commonwealth University and Pennsylvania Western University

BACKGROUND: Act 55 of 2022 (Omnibus School Code Amendments), which was passed by the General Assembly and signed by the Governor this month, creates the official transition process for the Councils of Trustees at the six universities involved in the integrations process—Bloomsburg, Lock Haven and Mansfield now integrated as Commonwealth University, and California, Clarion and Edinboro now integrated as Pennsylvania Western University.

Act 55 creates integrated Councils of Trustees and provides, initially, for “transitional members” to act as trustees for Commonwealth University and Pennsylvania Western University. Those transitional members were appointed by the Governor on July 15, 2022 (not subject to approval by the Senate) and will serve until September 30, 2022, or until confirmation of “initial members” by the Senate, whichever occurs earlier. No later than August 31, 2022, the Governor must nominate initial members to be appointed to the two integrated councils subject to the Senate confirmation process. Upon confirmation, the initial member will serve on a council consisting of fifteen (15) trustees, of which three (3) trustees will be students.

The Act affirms that the Board of Governors is responsible for appointing three student members to each integrated council—one from each of the six universities involved with integrations. The Board had already prepared for this possibility and proactively appointed students to serve as trustees for each of the six affected institutions. As such, this proposed Board action would re-affirm those six appointments so that those same students will serve on the integrated councils once they are fully formed this fall.

MOTION: That the Board of Governors hereby reappoints the six students who were serving as trustees at Bloomsburg, Lock Haven, Mansfield, California, Clarion, and Edinboro as of June 30, 2022 to serve on their respective integrated Council of Trustees in accordance with state law.

Supporting Documents Included: N/A

Other Supporting Documents Available: N/A

Reviewed by: Office of the Chancellor

Prepared by: Randy A. Goin Jr.

Contact: rgoin@passhe.edu



Board of Governors Standing Committee Assignments

Student Success

CHAIR – David M. Maser
VICE CHAIR – Marian D. Moskowitz
Representative Timothy P. Briggs
Acting Secretary of Education Eric Hagarty
Larry C. Skinner
Skylar Walder (Shippensburg student)
Cynthia D. Shapira (ex officio)
President Bashar W. Hanna (nonvoting president liaison)

Audit and Compliance

CHAIR – Janet L. Yeomans
Robert W. Bogle
William A. Gindlesperger
Senator Judith L. Schwank
Cynthia D. Shapira (ex officio)
President Christopher M. Fiorentino (nonvoting president liaison)

University Success

CHAIR – Larry C. Skinner
VICE CHAIR – Neil R. Weaver
William A. Gindlesperger
Secretary Allison Jones
Representative Brad Roae
Zakariya Scott (Bloomsburg student)
Janet L. Yeomans
Cynthia D. Shapira (ex officio)
President Charles E. Patterson (nonvoting president liaison)

Governance and Leadership

CHAIR – Samuel H. Smith
VICE CHAIR – TBD
David M. Maser
Senator Scott Martin
Abigail Hancox (Indiana student)
Senator Judith L. Schwank
Cynthia D. Shapira (ex officio)
President Kenneth Long (nonvoting president liaison)

Executive - Defined by the Board's bylaws as the officers and chairs of each standing committee

Cynthia D. Shapira
David M. Maser
Larry C. Skinner
Samuel H. Smith
Janet L. Yeomans

Proposed July 21, 2022

BOARD CONSIDERATION



Pennsylvania's
STATE SYSTEM
of Higher Education

Board of Governors Meeting
July 21, 2022

SUBJECT: Fiscal Year 2022-23 Educational & General Appropriation Allocation (ACTION)

UNIVERSITIES AFFECTED: All

BACKGROUND: In accordance with 24 P.S. Section 20-2002-A(b) and Board of Governors' Policy 1984-06-A: *Allocation Formula*, the Educational and General (E&G) appropriation is allocated annually to the universities for their basic funding requirements, provides for the Board to allocate appropriations for Systemwide initiatives, and funds the Office of the Chancellor at 0.5 percent of the appropriation.

In June 2022, the Board of Governors approved revisions to this policy that provide greater stability and predictability of funding as well as an effective tool to fund student and university success in years to come. The updated formula distributes PASSHE's state appropriations to the universities based on two components: core operations and enrollment. The core operations portion provides funding to cover expenses associated with running a university, regardless of the number of students, as well as differentiate by the mission and integration status. The core operations component is scaled to reflect a higher core funding component for universities with fewer students and a lower component for universities with higher enrollments, recognizing some economy of scale as well as balancing the enrollment-driven components of the formula.

The remainder of the formula is enrollment driven, recognizing PASSHE's mission to support all students, undergraduate and graduate, in-state and out-of-state. The enrollment component also layers additional funding, in an additive manner, to support student success around several categories: under-represented minority (URM) students, Pell eligible students, progress toward degree, and program level.

The enacted FY 2022-23 Commonwealth spending plan provides an increase of \$75 million, or 15.7%, in funding in the System's Educational and General appropriation, for a total of \$552.5 million. Attachment 1 reflects the proposed FY 2022-23 allocation distribution to each university and reflects funding requirements for system wide initiatives. Attachment 2 provides a brief overview of each system wide initiative for which appropriations are allocated. As established in the procedure, one-time funds will be utilized for integrating universities transitioning to the new model as they achieve efficiencies planned for the integration.

In addition, the enacted FY 2022-23 Commonwealth budget provides the State System of Higher Education with \$125 million in federal appropriations from the COVID-19 Response Restricted Account. These funds will be utilized throughout the System to fund key priority areas in accordance with regulations outlined in the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF). Further information will be provided on this newly available funding source during the October board meeting.

MOTION: That the Board of Governors approve the allocation of funds from the System's fiscal year 2022-23 Educational and General appropriation, as reflected in Attachment 1.

Supporting Documents Included: Proposed FY 2022-23 E&G Appropriation Allocation (Attachment 1); Funding of Systemwide Initiatives from FY 2022-23 E&G Appropriation (Attachment 2);

Informational Documents Included: CSLFRF distribution in accordance with Fiscal Code

Reviewed by: Executive Leadership Group

Prepared by: Molly M. Mercer

Contact: mmercerc@passhe.edu

**Pennsylvania's State System of Higher Education
FY 2022-23 Educational and General (E&G) Appropriation Allocation**

	FY 2021-22 Appropriation as Approved July 15, 2021	Proposed FY 2022-23 Appropriation
E&G Appropriation	\$477,470,000	\$552,470,000
Off-the-Top Systemwide Initiatives:		
Office of the Chancellor	\$2,384,000	\$2,762,000
Internal Audit	400,000	400,000
Faculty Professional Development	300,000	300,000
Dixon University Center	500,000	n/a
Chincoteague Bay Field Station	882,800	882,300
Targeted University Incentive Funds (FY22),		
Strategic Initiatives (FY23)	1,077,435	1,100,000
System Reserve	178,300	535,031
Subtotal, Systemwide Items	<u>\$5,722,535</u>	<u>\$5,979,331</u>
University Allocation (see below)	<u>\$471,747,465</u>	<u>\$546,490,669</u>
 University Allocation		
Cheyney	\$13,324,853	\$19,378,060
Commonwealth*	80,515,986	84,635,284
East Stroudsburg	29,084,658	39,609,381
Indiana	53,876,647	56,895,233
Kutztown	37,201,983	46,434,501
Millersville	35,714,527	42,030,925
Pennsylvania Western*	87,072,861	87,300,931
Shippensburg	31,163,034	37,523,022
Slippery Rock	41,536,545	51,256,983
West Chester	62,256,371	81,426,349
Subtotal, Universities	<u>\$471,747,465</u>	<u>\$546,490,669</u>

**In FY2021-22, separate appropriation amounts were provided to the six individual universities that are now part of an integrated university. Bloomsburg, Lock Haven, and Mansfield Universities are now part of Commonwealth University; California, Clarion, and Edinboro Universities are now part of Pennsylvania Western University. Amounts reflected in chart are the sum of the three individual amounts for each new integrated university.*

**Pennsylvania’s State System of Higher Education
Funding of Systemwide Initiatives from Fiscal Year (FY) 2022-23 E&G Appropriation**

***Internal Audit*..... \$400,000**

The internal audit and risk assessment function oversees the structure and execution of an internal audit plan based on high-risk areas. This function operates as an out-sourced model with a focus on high-risk and value-added reviews. The FY 2022-23 funding is level compared to the prior year, which is down approximately 50 percent from historical levels.

***Faculty Professional Development* \$300,000**

The collective bargaining agreement with the Association of Pennsylvania State College and University Faculties (APSCUF) reinstates the Faculty Professional Development Program with a FY 2022-23 funding requirement of \$300,000.

***Chincoteague Bay Field Station* \$882,300**

The Chincoteague Bay Field Station, founded in 1968, is managed by a consortium that is primarily comprised of System universities. It provides students with field experiences across a variety of disciplines. The Field Station’s main campus, located at Wallops Island, Virginia, underwent a \$15 million revitalization, financed with System bonds as approved by the Board of Governors on April 10, 2008. Its debt service was paid by three System universities through FY 2017-18. As these facilities have supported various academic and research initiatives of most System universities, the associated debt service has been funded directly from the System’s E&G appropriation since FY 2018-19; it is recommended that this practice continue in FY 2022-23.

***Strategic Initiatives* \$1,100,000**

The savings generated through the sale of the Dixon University Center and continued budgetary measures has again created savings that the Executive Leadership Group (ELG) can prioritize towards one-time funding for FY 2022-23 to selected key initiatives. Specific initiatives for the current fiscal year include an external review and assessment of enrollment processes for improvement opportunities and a study of space planning and optimization opportunities. Both areas reflect key focuses as part of financial sustainability efforts.

***Replenishment of the System Reserve* \$535,031**

Board of Governors’ Policy 1984-07-A, *System Reserve Allocation and Expenditure Criteria*, establishes a \$1.5 million Board reserve for items of Systemwide importance and value. The reserve must be fully replenished annually. Expenses against the reserve include presidential and chancellor searches, presidential evaluations, official residence renovations, and property appraisals performed by the System. The amount required to fully replenish the System Reserve for FY 2022-23 is \$535,031. The amount to be replenished is net of interest earnings.

FY 2021-22 System Reserve Expenditures

Official Residence Renovation (EA)	\$488,179
Presidential Searches (EA, SH, and SL)	<u>82,067</u>
Total Projected FY 2021-22 Expenditures	\$570,246
Interest Earnings, net of fees and investment expenses	(10,825)
Adjustment for final actual expenditures in FY 2020-21	<u>(24,370)</u>
Total Amount to be Replenished	\$535,031

Anticipated FY 2022-23 System Reserve Expenditures

Official Residence Renovation (SL)	\$650,000
Presidential Searches (EA and SL)	196,982
Presidential Evaluations (Four)	100,000
Executive Coaching for New Presidents (EA and SL)	<u>40,000</u>
Total FY 2022-23 Expenditures	\$986,982

Board of Governors Meeting

July 21, 2022

SUBJECT: Allocation of Coronavirus State Fiscal Recovery Funds (INFORMATION ONLY)

UNIVERSITIES AFFECTED: All

BACKGROUND: As signed on July 8, 2022, Act 1A-2022 provides \$125 million of Coronavirus State and Local Fiscal Recovery Funds (CSFRF) to the State System universities and outlines how they are to be allocated between the ten universities.

Allocations for three universities are specifically mentioned in the Act; Cheyney university was to receive \$7,371,688. The integrating universities were to receive \$34,294,978 which is recommended to be distributed equally at \$17,147,489.

The remaining \$83,333,334 is to be allocated between the other seven universities, based on their portion of the 2-year average fall full-time equivalent (FTE) enrollment from those seven universities. Based on the language in the Act, the following allocations have been determined.

**Pennsylvania's State System of Higher Education Allocation of \$125M
CSFRF Appropriation | Fiscal Year 2022-23**

University	2-Year Average FTE Enrollment Fall 2020 and Fall 2021	Percent of 2-Year Average FTE Enrollment	Allocation of CSFRF
Cheyney*			\$7,371,688
Commonwealth*			17,147,489
East Stroudsburg	4,750.55	8.8%	7,371,675
Indiana	7,906.44	14.7%	12,268,832
Kutztown	6,758.70	12.6%	10,487,824
Millersville	5,888.82	11.0%	9,137,986
Pennsylvania Western*			17,147,489
Shippensburg	5,017.67	9.3%	7,786,178
Slippery Rock	7,993.94	14.9%	12,404,610
West Chester	15,386.63	28.7%	23,876,229
Total	53,702.75	100.0%	\$125,000,000

**Allocation amount in alignment with Act 1A-2022 and with recommended equal integration distribution.*

To ensure compliance with federal rules, regulations, and reporting requirements, details regarding the use of these funds are still in development with the Commonwealth's Budget Office.

Supporting Documents Included: N/A Other

Supporting Documents Available: N/A

Reviewed by: Executive Leadership Group

Prepared by: Molly M. Mercer

Contact: mmercerc@passhe.edu

Board of Governors Meeting

July 21, 2022

SUBJECT: Ratify Various Side Letters with (APSCUF Faculty*, APSCUF Coaches, OPEIU, POA, SPFPA, PDA and AFSCME)

UNIVERSITIES AFFECTED: Side letters #1 through #6 - Bloomsburg, California, Clarion, Edinboro, Lock Haven, and Mansfield Universities.

BACKGROUND: The State System and applicable unions have negotiated and conducted meet and discuss sessions, as appropriate, regarding side letters in order to jointly advance the implementation of university integrations approved by the Board of Governors in July 2021. The various side letters address how certain provisions of the existing collective bargaining agreements and memoranda of understanding will be applied to employees at the integrating universities. The employees are represented by the: Association of Pennsylvania State College and University Faculties (APSCUF); PASSHE Officers Association (POA); and International Union, Security, Police, and Fire Professionals of America (SPFPA); Office and Professional Employees International Union Healthcare Pennsylvania (OPEIU); Pennsylvania Doctor's Alliance (PDA) and American Federation of State, County, and Municipal Employees (AFSCME).

MOTION: That the Board of Governors ratifies the tentative agreement side letters and authorize the Chancellor to execute the appropriate documents.

*Pending APSCUF Faculty Ratification

Supporting Documents Included: (1) Article 7 (Faculty) – Performance of Bargaining Unit Work Side Letter; (2) Article 11 (Faculty) – Appointment of Faculty Side Letter; (3) Article 31E (Faculty) – Curriculum Committee Side Letter Extension Side Letter; (4) (Faculty) Campus Reassignment Side Letter; (5) Article 8 (Coaches) – Contracts of Employment; (6) Articles 10 (Coaches) – Compensation Side Letter; (7) POA Side Letter; (8) SPFPA Memorandum of Understanding Side Letter; (9) OPEIU Agreement Side Letter; (10) OPEIU Memorandum of Understanding Side Letter; and (11) PDA Agreement Side Letter; (12) PDA Memorandum of Understanding Side Letter; (13) AFSCME Agreement Side Letter; and (14) AFSCME Memorandum of Understanding Side Letter

Other Supporting Documents Available: N/A

Prepared by: Jeffrey B. Hawkins

Contact: jhawkins@passhe.edu

TENTATIVE AGREEMENT

INTERIM SIDE LETTER

Article 7, Sections F and G – Performance of bargaining unit work

The State System and APSCUF enter into this side letter to adapt the provisions of Article 7, Sections F and G of their collective bargaining agreement to the State System's consolidation plans involving Bloomsburg, Lock Haven and Mansfield Universities in the Northeast, and California, Clarion and Edinboro Universities in the West. This side letter is intended to apply only to the two consolidated universities, and shall not create a precedent for any other types of decisions related to these consolidations, nor to any future consolidation, merger, or reorganization of any sort involving other Universities within the State System.

1. Acting Managers
 - a. Any FACULTY MEMBER currently appointed as an acting manager pursuant to Article 7, Section F.4., who was expected to serve in this role beyond July 1, 2022 will receive notice no later than 14 calendar days after execution of this side letter if they will continue to serve as an acting manager pursuant to the terms of their appointment.
 - b. Any FACULTY MEMBER who is appointed as an acting manager prior to July 1, 2022 and who will be serving in this role beyond July 1, 2022 will continue to serve as an acting manager pursuant to the terms of their appointment.
2. Managers
 - a. For purposes of applying Section F.2. of the collective bargaining agreement to the consolidating universities, the department within which the secret ballot vote shall be conducted is the department in existence as of the effective date of the manager's proposed return to the bargaining unit. Upon consolidation, the three (3) year time frame of the appointment noted in Section F.2. will include all most recent continuous service as a manager at California, Clarion and Edinboro for the West and Bloomsburg, Lock Haven and Mansfield for the Northeast.
3. Non-Bargaining Unit Employees
 - a. For purposes of applying Section G of the collective bargaining agreement to the consolidating universities prior to July 1, 2022, the academic department within which the secret ballot vote shall be conducted is the academic department in existence as of the term during

which the non-bargaining unit employee teaches courses or performs other duties in the academic department.

For STATE SYSTEM Date

For APSCUF Date

TENTATIVE AGREEMENT

INTERIM SIDE LETTER Article 11 – Appointment of Faculty

The State System and APSCUF enter into this side letter to adapt the provisions of Article 11 of their collective bargaining agreement to the State System's consolidation plans involving Bloomsburg, Lock Haven and Mansfield Universities in the Northeast, and California, Clarion and Edinboro Universities in the West. This side letter is intended to apply only to the two consolidated universities, and shall not create a precedent for any other types of decisions related to these consolidations, nor to any future consolidation, merger, or reorganization of any sort involving other Universities within the State System.

1. Temporary Faculty
 - a. Upon consolidation, for academic year 2022-23 the FTE of all FACULTY MEMBERS employed for the denominator of the calculation referenced in Article 11, Section F.1. for each consolidated university will be the combined FTE of all teaching locations as of October 31, 2021.
 - b. Upon consolidation, prior full time consecutive academic years of temporary service in a faculty position at the universities in each respective region will be used in calculation of the five full consecutive academic years for Article 11, Section G for that region.
 - c. Upon consolidation, all prior temporary faculty service at California, Clarion and Edinboro for the West and Bloomsburg, Lock Haven and Mansfield for the Northeast will be used in calculating the 60 workload hours for preference referenced in Article 11, Section I. The faculty member's satisfactory evaluations at every level in each respective region will also apply to the preference.
 - d. Upon consolidation, all prior temporary faculty service at California, Clarion and Edinboro for the West and Bloomsburg, Lock Haven and Mansfield for the Northeast will be considered reappointments at the consolidated university for purposes of determining the rank and step of the FACULTY MEMBER under Article 11, Section J for that region.
2. Temporary Positions
 - a. For the spring 2022 semester existing departments may make recommendations in accordance with Article 11, Section H.1. These recommendations that are based on disciplinary specialization will be sent to the newly formed departments for the consolidated universities,

Tentative Agreement
Interim Side Letter Extension

The State System and APSCUF, agree to the following:

1. The Article 31.E Interim Side Letter executed on October 21, 2021 is extended for the fall 2022 semester for both regions. The three-credit workload for committee service referenced in Section 1.e. of the aforementioned Interim Side Letter for Interim Curriculum Committee members, will be applicable in the fall 2022 semester in the same manner as noted in the Interim Side Letter.

2. This agreement including the three-credit workload assigned to the Interim Curriculum Committee members shall not establish a precedent for either party.

For STATE SYSTEM

Date

For APSCUF

Date

TENTATIVE AGREEMENT

SIDE LETTER

Campus Reassignment Within Consolidated University

The State System and APSCUF enter into this side letter to establish a one-time opportunity for faculty at Bloomsburg, Lock Haven and Mansfield Universities, within Commonwealth University (Commonwealth), and at California, Clarion and Edinboro Universities, within Pennsylvania Western University (PennWest) to request reassignment to a different campus within their integrated department. This side letter is intended to apply only to Commonwealth and PennWest, and for the limited time period as set forth below, shall not create a precedent for any other types of decisions related to these consolidations, nor to any future consolidation, merger, or reorganization of any sort involving other Universities within the State System.

1. Immediately upon ratification of this side letter, the State System and State APSCUF will jointly notify all regular faculty employed at either Commonwealth or PennWest that they may request reassignment to another campus within the integrated department, pursuant to the terms of this side letter.
2. The request must be for a reassignment to be effective at the start of the Fall 2022 or Spring 2023 semester.
3. A. For a fall 2022 effective date, the faculty member must submit the request via email to their Dean/Director within fifteen (15) calendar days following issuance of the notice required by paragraph 1, above. A copy of the request must be simultaneously emailed to their department chair and to the State APSCUF President.

B. For a spring 2023 effective date, the faculty member must submit the request via email to their Dean/Director no later than September 15, 2022. A copy of the request must be simultaneously emailed to their department chair and to the State APSCUF President.
4. The request is subject to approval of the faculty member's integrated department, by majority secret ballot electronic vote of the regular (tenured/tenure track) department faculty who participate in the department vote, by State APSCUF, and by the Provost of the consolidated university. The department vote and State APSCUF's decision must occur within fifteen (15) calendar days of the submission deadline identified in paragraph 3. The department chair and State

APSCUF shall immediately provide notice of the department/State APSCUF decisions to the Provost of the applicable University, by email.

5. If the department and State APSCUF approve the request, the Provost must approve/disapprove the request within five (5) business days of notice of approval from the department and State APSCUF.
6. The Provost will immediately send notice of approval/disapproval of the request to the faculty member, with a copy to State APSCUF and the department chair. The decisions of the department, State APSCUF and/or the Provost shall not be subject to the provisions of Article 5, Grievance Procedure and Arbitration.
7. If the request is approved, the reassignment shall have no impact upon the faculty member's salary, benefits, seniority, progress toward tenure, schedule for evaluation, or status within the department other than their campus assignment.
8. If the request is approved, the State System is not responsible for any relocation costs incurred by the faculty member.
9. This agreement is non-precedential, and shall apply only for the limited time period outlined herein, after which it shall expire, unless the parties agree otherwise, in writing.

For STATE SYSTEM

Date

For APSCUF

Date

Tentative Agreement

**INTERIM SIDE LETTER
Article 8 - Contracts of Employment**

The State System and APSCUF enter into this side letter to adapt the provisions of Article 8 of the Coaches' collective bargaining agreement to the State System's consolidation plans involving Bloomsburg, Lock Haven and Mansfield Universities (Commonwealth University), and California, Clarion and Edinboro Universities (PennWest University). This side letter is intended to apply only to the two consolidated universities, and shall not create a precedent for any other types of decisions related to these consolidations, nor to any future consolidation, merger, or reorganization of any sort involving other Universities within the State System. In all other respects, the provisions of Articles 8 shall apply to COACHES at the consolidated universities.

Contracts of Employment with Clarion, Edinboro, California, Bloomsburg, Lock Haven and Mansfield Universities that extend beyond July 1, 2022 shall transfer to their respective consolidated university effective July 1, 2022.

For APSCUF:

For PASSHE:

Jamie Martin, President DATE

Daniel I. Greenstein, Chancellor DATE

Tentative Agreement

INTERIM SIDE LETTER

Article 10 - Compensation

The State System and APSCUF enter into this side letter to adapt the provisions of Article 10 of the Coaches' collective bargaining agreement to the State System's consolidation plans involving Bloomsburg, Lock Haven and Mansfield Universities (Commonwealth University), and California, Clarion and Edinboro Universities (PennWest University). This side letter is intended to apply only to the two consolidated universities, and shall not create a precedent for any other types of decisions related to these consolidations, nor to any future consolidation, merger, or reorganization of any sort involving other Universities within the State System. In all other respects, the provisions of Articles 10 shall apply to COACHES at the consolidated universities.

Article 10, Section 5 - Fiscal Year 2022-2023

For the purpose of applying the service requirements for salary increases provided by Article 10, Section 5, a coach's service shall be understood to include service at the previously employing university (Clarion, Edinboro, California, Bloomsburg, Lock Haven or Mansfield University, as applicable) as well as service at the consolidated university.

For APSCUF:

For PASSHE:

Jamie Martin, President DATE

Daniel I. Greenstein, Chancellor DATE

**Tentative Agreement between
THE PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION
(State System)
&
PASSHE Officers Association (POA)**

The parties have reached the following understanding regarding the impacts on the collective bargaining agreement of the consolidation of Clarion, Edinboro and California Universities into Pennsylvania Western University of Pennsylvania and Bloomsburg, Lock Haven and Mansfield Universities into Commonwealth University of Pennsylvania effective July 1, 2022. It is understood that this understanding shall not set precedent nor prejudice the rights of either party in any pending or future matter:

Article 10 (Personal Leave Days), Section 2 and Article 12 (Vacations), Section 3

For the purpose of resolving conflicts in Personal and Annual leave selection at each consolidated university, “total years of continuous service with the Employer in the bargaining unit at the university” shall be understood to include continuous service at the previously employing university (Clarion, Edinboro, California, Bloomsburg, Lock Haven or Mansfield University, as applicable) as well as continuous service at the consolidated university.

Article 28 (Seniority) and Appendix I

For the purposes of applying Article 28, seniority units shall be each campus of the consolidating university. Current branch campuses are included in the seniority unit with their main campus.

Appendix I (Organizational Seniority Units)

Bloomsburg campus of Commonwealth University of Pennsylvania
Cheyney University of Pennsylvania
California campus of Pennsylvania Western University
Clarion campus of Pennsylvania Western University (includes the Venango branch campus)
East Stroudsburg University of Pennsylvania
Edinboro campus of Pennsylvania Western University
Indiana University of Pennsylvania
Lock Haven campus of Commonwealth University of Pennsylvania (includes the Clearfield branch campus)

Kutztown University of Pennsylvania
Mansfield campus of Commonwealth University of Pennsylvania (includes the Sayre branch campus)
Millersville University of Pennsylvania
Shippensburg University of Pennsylvania
Slippery Rock University of Pennsylvania
West Chester University of Pennsylvania

Article 44 (Tuition Waiver)

Credits earned by eligible employees prior to consolidation at Clarion, Edinboro, California, Bloomsburg, Lock Haven or Mansfield University shall count towards the 128 undergraduate credit maximum that employees may earn under Article 44, Section 1 after the employees' transition to employment with their respective consolidated university.

Daniel Greenstein, Chancellor

Alan Swartz, President

**Tentative Agreement between
THE PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION
(State System)
&
International Union, Security, Police and Fire Professionals of America (SPFPA)**

The parties have reached the following understanding regarding the impacts on the memorandum of understanding of the consolidation of Clarion, Edinboro and California Universities into Pennsylvania Western University of Pennsylvania and Bloomsburg, Lock Haven and Mansfield Universities into Commonwealth University of Pennsylvania effective July 1, 2022:

Recommendation No. 10 (Personal Leave Days), Section 2 and Recommendation No. 12 (Vacations), Section 3

Total years of continuous service with the Employer at the campus (Clarion, Edinboro, California, Bloomsburg, Lock Haven or Mansfield as applicable) shall be utilized for the purpose of resolving conflicts in Personal and Annual leave selection.

Recommendation 28 (Seniority) and Appendix I

For the purposes of applying Recommendation 28, seniority units shall be each campus of the consolidated university. Current branch campuses are included in the seniority unit with their main campus.

Appendix H (Organizational Seniority Units)

Bloomsburg campus of Commonwealth University of Pennsylvania
Cheyney University of Pennsylvania
California campus of Pennsylvania Western University
Clarion campus of Pennsylvania Western University (includes the Venango branch campus)
East Stroudsburg University of Pennsylvania
Edinboro campus of Pennsylvania Western University
Indiana University of Pennsylvania
Lock Haven campus of Commonwealth University of Pennsylvania (includes the Clearfield branch campus)
Kutztown University of Pennsylvania

Mansfield campus of Commonwealth University of Pennsylvania (includes the Sayre branch campus)

Millersville University of Pennsylvania

Shippensburg University of Pennsylvania

Slippery Rock University of Pennsylvania

West Chester University of Pennsylvania

Recommendation 44 (Tuition Waiver)

Credits earned by eligible employees prior to consolidation at Clarion, Edinboro, California, Bloomsburg, Lock Haven or Mansfield University shall count towards the 128 undergraduate credit maximum that employees may earn under Recommendation 44, Section 1 after the employees' transition to employment with their respective consolidated university.

It is understood that this understanding shall not set precedent nor prejudice the rights of either party in any pending or future matter.

Daniel Greenstein, Chancellor
For the State System

Tom Hearn, Vice President, Local 502
For SPFPA

Tentative Agreement
INTERIM SIDE LETTER

The State System and OPEIU Local 153 enter this side letter to adapt the specific provisions of their Memorandum of Understanding to the State System's consolidation plans involving Bloomsburg, Lock Haven, and Mansfield Universities in the Northeast, and California, Clarion, and Edinboro Universities in the West.

For the purpose of Recommendation 17 and specifically as stated in Recommendation 17 section 4, the parties agree to the following understanding: for the purposes of equalizing overtime at a University, it is agreed upon that at integrated universities the individual campuses would be the level to be equalized.

For the purpose of Recommendation 25 and specifically as defined in Recommendation 25, Section 1.a.1., and Recommendation 25 section 1.a.1., the parties agree to the following changes in the language for the seniority units as identified in the integrated universities:

Current language (Recommendation 25, Section 1.a.1):

- (1) Unless otherwise stated herein, the seniority unit shall consist of that group of employees in a University.

Revised language (Recommendation 25, Section 1.a.1 and Recommendation 25, Section 1.a.1):

- (1) Unless otherwise stated herein, the seniority unit shall consist of that group of employees in a University within which seniority preference is exercised. All integrated Universities shall have their seniority units defined by the specific campus.

With the agreement of the above language, the seniority units within the State System will be as follows:

1. Bloomsburg campus, Commonwealth University of Pennsylvania
2. California campus, Pennsylvania Western University
3. Cheyney University of Pennsylvania
4. Clarion campus, Pennsylvania Western University
5. East Stroudsburg University of Pennsylvania
6. Edinboro campus, Commonwealth University of Pennsylvania
7. Indiana University of Pennsylvania
8. Kutztown University of Pennsylvania
9. Lock Haven campus, Commonwealth University of Pennsylvania

Tentative Agreement
INTERIM SIDE LETTER

The State System and OPEIU Local 153 enter this side letter to adapt the specific provisions of their Memorandum of Understanding to the State System's consolidation plans involving Bloomsburg, Lock Haven, and Mansfield Universities in the Northeast, and California, Clarion, and Edinboro Universities in the West.

For the purpose of Recommendation 17 and specifically as stated in Recommendation 17 section 4, the parties agree to the following understanding: for the purposes of equalizing overtime at a University, it is agreed upon that at integrated universities the individual campuses would be the level to be equalized.

For the purpose of Recommendation 25 and specifically as defined in Recommendation 25, Section 1.a.1., and Recommendation 25 section 1.a1., the parties agree to the following changes in the language for the seniority units as identified in the integrated universities:

Current language (Recommendation 25, Section 1.a.1):

- (1) Unless otherwise stated herein, the seniority unit shall consist of that group of employees in a University within which seniority preference is exercised.

Current language (Recommendation 25, Section 1.a.1):

- (1) Unless otherwise stated herein, the seniority unit shall consist of that group of employees in a University.

Revised language (Recommendation 25, Section 1.a.1 and Recommendation 25, Section 1.a.1):

- (1) Unless otherwise stated herein, the seniority unit shall consist of that group of employees in a University within which seniority preference is exercised. All integrated Universities shall have their seniority units defined by the specific campus.

With the agreement of the above language, the seniority units within the State System will be as follows:

1. Bloomsburg campus, Commonwealth University of Pennsylvania
2. California campus, Pennsylvania Western University
3. Cheyney University of Pennsylvania
4. Clarion campus, Pennsylvania Western University
5. East Stroudsburg University of Pennsylvania
6. Edinboro campus, Commonwealth University of Pennsylvania
7. Indiana University of Pennsylvania
8. Kutztown University of Pennsylvania
9. Lock Haven campus, Commonwealth University of Pennsylvania

Tentative Agreement

INTERIM SIDE LETTER

The State System and PDA enter this side letter to adapt the specific provisions of their agreement to the State System's consolidation plans involving Bloomsburg, Lock Haven and Mansfield Universities in the Northeast, and California, Clarion and Edinboro Universities in the West. This side letter is intended to apply only to the two consolidated universities and shall not create a precedent for any other types of decisions related to these consolidations, nor to any future consolidation, merger, or reorganization of any sort involving other Universities within the State System.

For the purpose of Article 7, and specifically as defined in Article 7, Section 1.b.1., the parties agree to the following changes in the language for the seniority units as identified in the integrated universities:

Current language:

- (1) A seniority unit for the purpose of this article shall consist of the following: each individual University of the Pennsylvania State System of Higher Education.

Revised language:

- (1) A seniority unit at the two integrated Universities shall consist of each of the 3 individual locations of the respective integrated Universities (Lock Haven, Bloomsburg, Mansfield, Edinboro, Clarion, and California).

For the purpose of Article 7, Section 1.b.1, the parties agree to the following changes in the language for the seniority units as identified in the integrated universities:

1. Bloomsburg campus, Commonwealth University of Pennsylvania
2. California campus, Pennsylvania Western University
3. Cheyney University of Pennsylvania
4. Clarion campus, Pennsylvania Western University
5. East Stroudsburg University of Pennsylvania
6. Edinboro campus, Commonwealth University of Pennsylvania
7. Indiana University of Pennsylvania
8. Kutztown University of Pennsylvania
9. Lock Haven campus, Commonwealth University of Pennsylvania
10. Mansfield campus, Commonwealth University of Pennsylvania
11. Millersville University of Pennsylvania
12. Shippensburg University of Pennsylvania

13. Slippery Rock University of Pennsylvania

14. West Chester University of Pennsylvania

*Branch campuses will be included with the seniority unit at the University they are affiliated with.

For the purpose of Article 30, Section 4. the parties agree to the following changes in the language for the preservation of bargaining unit as identified in the integrated universities:

Current language:

- (1) In the event there is no common understanding reached during the campus meet and discuss, the contract may be implemented and the Alliance may refer the matter to the Pennsylvania State System of Higher Education.

Integrated University language:

- (2) For the integrated Universities the meet and discuss will be held for the geographical area where the contract is to occur (Lock Haven, Bloomsburg, Mansfield, Edinboro, Clarion, and California).

For STATE SYSTEM Date

For PDA Date

INTERIM SIDE LETTER

The State System and PDA enter this side letter to adapt the specific provisions of their memorandum of understanding to the State System's consolidation plans involving Bloomsburg, Lock Haven and Mansfield Universities in the Northeast, and California, Clarion and Edinboro Universities in the West. This side letter is intended to apply only to the two consolidated universities and shall not create a precedent for any other types of decisions related to these consolidations, nor to any future consolidation, merger, or reorganization of any sort involving other Universities within the State System.

For the purpose of Recommendation 7, and specifically as defined in Recommendation 7, Section 1.b.1., the parties agree to the following changes in the language for the seniority units as identified in the integrated universities:

Current language:

- (1) A seniority unit for the purpose of this recommendation shall consist of the following: each individual University of the Pennsylvania State System of Higher Education.

Revised language:

- (1) A seniority unit at the two integrated Universities shall consist of each of the 3 individual locations (Lock Haven, Bloomsburg, Mansfield, Edinboro, Clarion, and California).

For the purpose of Recommendation 7, the parties agree to the following as the seniority units:

1. Bloomsburg campus, Commonwealth University of Pennsylvania
2. California campus, Pennsylvania Western University
3. Cheyney University of Pennsylvania
4. Clarion campus, Pennsylvania Western University
5. East Stroudsburg University of Pennsylvania
6. Edinboro campus, Commonwealth University of Pennsylvania
7. Indiana University of Pennsylvania
8. Kutztown University of Pennsylvania
9. Lock Haven campus, Commonwealth University of Pennsylvania
10. Mansfield campus, Commonwealth University of Pennsylvania
11. Millersville University of Pennsylvania

Tentative Agreement

**THE PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION
(State System)
&
American Federation of State, County, and Municipal Employees (AFSCME)**

The parties have reached the follow agreement concerning the Collective Bargaining Agreement between the State System and AFSCME regarding the proposed consolidation of Clarion, Edinboro and California Universities and Bloomsburg, Lock Haven and Mansfield Universities effective July 1, 2022:

Article 20 (Overtime), Section 5

Each campus location will continue to follow their existing written equalization agreement or existing method of assigning overtime at their campus location.

Article 29 (Seniority), Section 15 and Appendix F

For the purposes of applying Article 29, seniority units shall be each campus location of the consolidated university. Current branch campuses are included in the seniority unit with their main campus location.

Appendix F (Organizational Seniority Units by Agency for all Bargaining Units)

Office of the Chancellor
Bloomsburg campus of Commonwealth University of Pennsylvania
Cheyney University of Pennsylvania
California campus of Pennsylvania Western University
Clarion campus of Pennsylvania Western University (includes the Venango branch campus)
East Stroudsburg University of Pennsylvania
Edinboro campus of Pennsylvania Western University
Indiana University of Pennsylvania
Lock Haven campus of Commonwealth University of Pennsylvania (includes the Clearfield branch campus)
Kutztown University of Pennsylvania
Mansfield campus of Commonwealth University of Pennsylvania (includes the Sayre branch campus)

Millersville University of Pennsylvania
Shippensburg University of Pennsylvania
Slippery Rock University of Pennsylvania
West Chester University of Pennsylvania

Appendix R (Pennsylvania State System of Higher Education Units), Tuition Waiver

Credits earned by eligible employees prior to consolidation at Clarion, Edinboro, California, Bloomsburg, Lock Haven or Mansfield University shall count towards the 128 undergraduate credit maximum that employees may earn under Appendix R, Tuition Waiver after the employees' transition to employment with their respective consolidated university.

Appendix R (Pennsylvania State System of Higher Education Units), Preservation of Bargaining Unit Work and Contracting Out

Each campus location will continue to follow their existing Subcontracting Exemption Lists only at the specific campus location where the agreement was reached.

Local Agreements

Each campus location will continue to follow their existing local agreements only at the specific campus location where the agreement was reached.

It is understood that this understanding shall not set precedent nor prejudice the rights of either party in any pending or future matter.

Daniel Greenstein
Chancellor
For the State System

Thomas Lipko
Assistant to the Executive Director
For AFSCME

Tentative Agreement

**THE PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION
(State System)
&
American Federation of State, County, and Municipal Employees (AFSCME)**

The parties have reached the following understanding concerning the Master Memorandum between the State System and AFSCME regarding the proposed consolidation of Clarion, Edinboro and California Universities and Bloomsburg, Lock Haven and Mansfield Universities effective July 1, 2022:

Recommendation 20 (Overtime), Section 6

Each campus location will continue to follow their existing written equalization agreement or existing method of assigning overtime at their campus location.

Recommendation 29 (Seniority), Section 15 and Appendix F

For the purposes of applying Recommendation 29, seniority units shall be each campus location of the consolidated university. Current branch campuses are included in the seniority unit with their main campus location.

Appendix F (Organizational Seniority Units by Agency for all Bargaining Units)

Office of the Chancellor
Bloomsburg campus of Commonwealth University of Pennsylvania
Cheyney University of Pennsylvania
California campus of Pennsylvania Western University
Clarion campus of Pennsylvania Western University (includes the Venango branch campus)
East Stroudsburg University of Pennsylvania
Edinboro campus of Pennsylvania Western University
Indiana University of Pennsylvania
Lock Haven campus of Commonwealth University of Pennsylvania (includes the Clearfield branch campus)
Kutztown University of Pennsylvania
Mansfield campus of Commonwealth University of Pennsylvania (includes the Sayre branch campus)

Millersville University of Pennsylvania
Shippensburg University of Pennsylvania
Slippery Rock University of Pennsylvania
West Chester University of Pennsylvania

Appendix N (Pennsylvania State System of Higher Education Units), Tuition Waiver

Credits earned by eligible employees prior to consolidation at Clarion, Edinboro, California, Bloomsburg, Lock Haven or Mansfield University shall count towards the 128 undergraduate credit maximum that employees may earn under Appendix N, Tuition Waiver after the employees' transition to employment with their respective consolidated university.

Appendix N (Pennsylvania State System of Higher Education Units), Preservation of Supervisory Unit Work and Contracting Out

Each campus location will continue to follow their existing Subcontracting Exemption Lists only at the specific campus location where the agreement was reached.

Local Agreements

Each campus location will continue to follow their existing local agreements only at the specific campus location where the agreement was reached.

It is understood that this understanding shall not set precedent nor prejudice the rights of either party in any pending or future matter.

Daniel Greenstein
Chancellor
For the State System

Thomas Lipko
Assistant to the Executive Director
For AFSCME

Board of Governors Meeting

July 21, 2022

SUBJECT: Election of Officers (ACTION)

UNIVERSITIES AFFECTED: All

BACKGROUND: The Board of Governors bylaws calls for the annual election of officers at the third quarterly meeting of each calendar year. The term of office of each officer shall commence upon election and continue until his/her successor is chosen and assumes office.

The officers of the Board of Governors include a chairperson and two vice chairpersons. The Board may, from time to time, establish other offices needed to carry out the functions of the Board. In accordance with the provisions of state law, neither the Governor, Secretary of Education, their designees, nor any member of the General Assembly may be elected to these offices.

Supporting Documents Included: [Board of Governors Bylaws](#)

Other Supporting Documents Available: N/A

Reviewed by: Office of the Chancellor

Prepared by: Randy A. Goin Jr.

Email: rgoin@passhe.edu